



Commissioner for Patents
Washington, D.C. 20231

Attorney's Docket No. 2046-011632 3682

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MAR 11 2003

GROUP 3600

Serial No.: 09/937,792

Filing Date: January 15, 2002

Examiner: Timothy P. McAnulty

Group Art Unit: 3682

Invention: Top of Rail Applicator

Transmitted herewith is an **Election Requirement** in the above-identified application.

Small Entity Status is/has been asserted for this application under 37 CFR 1.27.

A verified statement to establish small entity status under 37 CFR 1.27 is enclosed.

No additional fee is required.

The fee has been calculated as shown below:

No of Claims After Amendment	Highest No. Previously Paid For	Present Extra	Small Entity Rate	Non-Small Entity Rate	Charge
Total <u>28</u>	<u>28</u>	<u>0</u>	x \$ <u>9.00</u>	x \$ <u>18.00</u>	<u>\$0</u>
Indep. <u>4</u>	<u>4</u>	<u>0</u>	x \$ <u>42.00</u>	x \$ <u>84.00</u>	<u>\$0</u>
First Presentation of Multiple Dependent Claim/s				+ \$140.00	+ \$280.00
TOTAL ADDITIONAL FEE <u>\$0</u>					

A check in the amount of \$_____ is enclosed to cover the filing fee.

A check in the amount of \$_____ is enclosed for a _____ month Petition for Extension of Time.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication to Deposit Account No. 23-0650. Please refund any overpayment to Deposit Account No. 23-0650. An original and two copies of this sheet are enclosed.

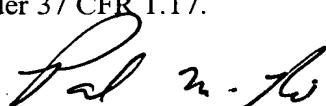
Any additional filing fees required under 37 CFR 1.16.

Any patent application processing fees under 37 CFR 1.17.

February 28, 2003

Date

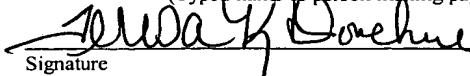
By


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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on February 28, 2003.

Teresa K. Donehue

(Typed name or person mailing paper)


Signature

2/28/03

Date



PATENT APPLICATION

Serial No. 09/937,792
Confirmation No. 7034
Attorney Docket No. 2046-011632

3/13/03
T-ML

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 3682 :
In re Application of :
W. Thomas Urmson, Jr. et al. :
Serial No. 09/937,792 :
Filed January 15, 2002 :
Examiner – Timothy P. McAnulty :
Pittsburgh, Pennsylvania
February 28, 2003

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TOP OF RAIL APPLICATOR

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated January 28, 2003, Applicants elect the embodiment as set forth in Fig. 7, claims 9-13, 27 and 28, with traversal. Claims 14 and 23 have been deemed generic. First, it is believed that the Examiner can adequately search all of the claims in this application, especially since a search was conducted by the United States Patent and Trademark Office for all embodiments and a favorable report was issued. This alone clearly supports that the Examiner can search all of the claims.

Second, it is believed that claims 1-23, 27 and 28 cover the Embodiment II shown in Fig. 7 set forth below.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on February 28, 2003.

Teresa K. Donehue

(Name of Person Signing Paper)

Signature

Date

{W0046054.1}

Teresa K. Donehue 2/28/03